



**CLERK, U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS**

ENTERED

**THE DATE OF ENTRY IS ON
THE COURT'S DOCKET**

The following constitutes the ruling of the court and has the force and effect therein described.

Signed February 1, 2018

James H. Kuhl
United States Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

IN RE:

SUPERIOR LUBRICANTS TRANSPORT
INC.,
a/k/a Superior Transport,

DEBTOR.

Case No. 16-42146-rfn-7

**AGREED ORDER REGARDING TRUSTEE'S MOTION FOR
AUTHORITY TO SELL DOOLING STREET PROPERTY FREE AND
CLEAR OF DISPUTED LIENS, CLAIMS AND ENCUMBRANCES**

On this day, came on for consideration the **Trustee's Motion for Authority to Sell Dooling Street Property Free and Clear of Disputed Liens, Claims and Encumbrances** [Docket No. 120] filed by Cavazos, Hendricks, Poirot & Smitham, P.C., on December 20, 2017 on behalf of Marilyn Garner, the Chapter 7 Trustee (the "Trustee"). The only Objection [Docket No. 123] to the Motion was filed by Integra Funding Solutions, LLC ("Integra"). Integra has agreed to the entry of this Order as, once the full amount of its secured claim and per diem

interest have been determined, the full allowed claim will be paid at the time of closing. The parties have advised this Court that they are continuing to seek to resolve their dispute as to the amount and thus have moved the hearing on the Claim Objection [Doc. 109] and Integra's Motion and Application [Docs. 104 and 105] have been reset. Consequently, this Court has considered just the Sale Motion, without hearing, and is of the opinion that the Trustee's Motion should be approved. It is therefore,

ORDERED that the Motion should be and hereby is **GRANTED**; it is further

ORDERED that the Trustee be authorized, and hereby has approval to sell the Debtor's fee ownership of the Property (more specifically described in Ex. A hereto) to the JGooden, LLC, in accordance with the sale terms set forth in the Motion and prior Settlement Agreement and Compromise; and it is further

ORDERED that all real estate taxes, closing costs, and the full allowed amount of Integra's claim shall be paid at the time of the closing, with all other lien claims of record which the buyer is not taking subject to, shall attach to the sales proceeds to be addressed by separate court orders and it is further

ORDERED that Integra's lien shall attach to the sales proceeds arising from the sale of the Property in the same priority as Integra's lien against the Property held at the time of the sale of the Property. After the payment of the real estate taxes assessed against the Property and ordinary and reasonable closing costs, no other or further use or distribution of the sale proceeds shall be made by the Trustee until Integra's claim has been paid in full. If Integra's claim has not been determined by the Court as of the date of closing, the Trustee shall continue to hold the net sale proceeds after paying real estate taxes and closing costs, until Integra's claim has been determined by the Court and paid in full.

ORDERED that the Trustee be authorized, and hereby has approval to proceed to close a sale under the back-up buyer's contract if JGooden, LLC does not perform.

END OF ORDER

Order drafted by:

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